

Moffett  
Moore  
Morris  
Ramsey

Shivers  
Vick  
Weinert  
York

### Nays—10

Aikin	Jones
Brownlee	Lane
Bullock	Stone
Chadick	Sulak
Hazlewood	Winfield

### Absent

Martin

### Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

The Senate, accordingly, at 5:20 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

## SIXTY-FIFTH DAY

(Friday, May 7, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Senator Aikin.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

(President in the Chair.)

A quorum was announced present. Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

## Reports of Standing Committees

Senator Moffett submitted the following reports:

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 712, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 310, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C. R. No. 131, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 25, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B.

No. 652, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C. R. No. 120, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with attached amendment and be not printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C. R. No. 128, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C. R. No. 129, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C. R. No. 136, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C. R. No. 133, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C. R. No. 135, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 754, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

MOFFETT, Vice Chairman.

#### Conference Committee on House Concurrent Resolution 42

Senator Metcalfe called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. C. R. No. 42.

Senator Metcalfe moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate:

Senators Metcalfe, Beck, Mauritz, Lovelady, and Lane.

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
May 6, 1943.

Hon. John Lee Smith, President of  
the Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has passed the following bill and  
resolutions:

H. C. R. No. 137, Authorizing cor-  
rection of H. B. No. 655.

H. C. R. No. 138, Instructing the  
Enrolling Clerk to make certain  
changes in H. B. No. 135.

S. B. No. 117, A bill to be entitled  
"An Act further regulating the traf-  
fic in alcoholic liquors in this State  
by amending the Texas Liquor Con-  
trol Act in the following particulars;  
etc.; and declaring an emergency."  
(With amendments.)

The House has concurred in Senate  
amendments to H. B. No. 150 by a  
vote of 135 yeas, 0 noes.

The House has concurred in Sen-  
ate amendments to H. B. No. 247  
by a vote of 70 yeas, 49 noes.

The House refused to concur in  
Senate amendments to H. B. No.  
219 and has requested the appoint-  
ment of a Conference Committee to  
consider the differences between the  
two Houses, and appointed the fol-  
lowing conferees: Manning, Rhodes,  
Walters, Halsey, and Sadler.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

**House Bill 497 on Third Reading**

Senator Graves moved that the  
regular order of business be sus-  
pended to take up for consideration  
at this time:

H. B. No. 497, A bill to be entitled  
"An Act creating the Dallas County  
Flood Control District in Dallas  
County, Texas, and defining its pow-  
ers; etc.; and declaring an emer-  
gency."

Senator Morris raised a point of  
order against consideration of the mo-  
tion to suspend the regular order and  
to take up H. B. No. 497 at this  
time, on the ground that the rules  
and joint rules do not permit con-  
sideration of House bills in the Sen-

ate except on Wednesdays and Thurs-  
days of each week.

The President overruled the point of  
order.

The roll was called on the motion  
of Senator Graves, and the motion  
prevailed by the following vote:

**Yeas—15**

Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Graves	Stone
Jones	Sulak
Lane	Vick
Lovelady	

**Nays—7**

Aikin	Morris
Bullock	Weinert
Lanning	Winfield
Martin	

**Absent**

Hazlewood	Shivers
Ramsey	York

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

Senator Aikin demanded that the  
motion of Senator Graves be re-  
duced to writing, and raised the point  
of order that the bill is not properly  
before the Senate.

The President overruled the point  
of order.

Senator Metcalfe moved that the  
rule requiring the motion to be in  
writing at the request of any Mem-  
ber be suspended.

The President announced that the  
motion of Senator Metcalfe had been  
lost by the following vote:

**Yeas—13**

Brownlee	Lovelady
Chadick	Mauritz
Graves	Metcalfe
Hazlewood	Stone
Jones	Sulak
Lane	Vick

**Nays—7**

Aikin	Moore
Bullock	Morris
Cotten	Weinert
Martin	Winfield

## Absent

Beck	Ramsey
Lanning	Shivers
Moffett	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

Senator Morris raised the point of order that there is no quorum present.

The point of order was sustained.

Senator Sulak moved a call of the Senate for the purpose of securing a quorum, and the motion was duly seconded.

The call of the Senate was not ordered by the following vote:

## Yeas—10

Beck	Metcalf
Brownlee	Moore
Hazlewood	Shivers
Lovelady	Stone
Mauritz	Sulak

## Nays—11

Aikin	Lanning
Bullock	Martin
Chadick	Morris
Cotten	Weinert
Jones	Winfield
Lane	

## Present—Not Voting

Graves

## Absent

Moffett	Vick
Ramsey	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

A quorum of the Senate was announced present.

Senator Graves submitted the following motion in writing:

Mr. President: I move to take up H. B. No. 497 out of regular order and to suspend regular order of business.

GRAVES.

The motion prevailed by the following vote:

## Yeas—17

Beck	Lovelady
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moore
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	

## Nays—6

Aikin	Morris
Bullock	Weinert
Martin	Winfield

## Absent

Moffett	York
Ramsey	

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill (H. B. No. 497) before the Senate on its third reading and final passage.

The bill was read third time.

Pending consideration of the bill on its final passage, Senator Mauritz occupied the Chair temporarily. (President in the Chair.)

The bill was passed by the following vote:

## Yeas—14

Brownlee	Moore
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Mauritz	Vick
Metcalf	York

## Nays—10

Aikin	Lovelady
Bullock	Martin
Cotten	Morris
Lane	Weinert
Lanning	Winfield

## Absent

Beck	Moffett
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## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

(Senator Mauritz in the Chair.)

Senator Aikin raised, and submitted in writing, the following point of order:

Mr. President: I raise the point of order that this bill, H. B. No. 497 has not passed this Senate, not receiving the necessary two-thirds vote required under Section 10 of Article 8 of the Constitution of Texas.

AIKIN.

The Presiding Officer overruled the point of order.

#### House Concurrent Resolution 124

On motion of Senator Brownlee, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 124, Authorizing the State Health Officer to accept the addition to the laboratory building on behalf of the State of Texas.

The Presiding Officer laid the resolution before the Senate, it was read second time and was adopted.

#### Reports of Standing Committee

Senator Lanning, by unanimous consent, submitted at this time the following reports:

Austin, Texas,  
May 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 367, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

LANNING, Chairman.

Austin, Texas,  
May 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 456, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

LANNING, Chairman.

Austin, Texas,  
May 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 422, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

LANNING, Chairman.

Austin, Texas,  
May 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 464, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

LANNING, Chairman.

Austin, Texas,  
May 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 543, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

LANNING, Chairman.

Austin, Texas,  
May 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 514, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

LANNING, Chairman.

(President in the Chair.)

#### Senate Bill 89 with House Amendments

Senator Morris called S. B. No. 89 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Question—Shall the Senate concur in the House amendments?

Senator Mauritz moved that the Senate do not concur in the House amendments and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

Senator Morris moved to table the motion of Senator Mauritz.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—14

Aikin	Moffett
Bullock	Morris
Hazlewood	Shivers
Jones	Sulak
Lane	Vick
Lovelady	Winfield
Metcalf	York

Nays—11

Beck	Martin
Brownlee	Mauritz
Chadick	Moore
Cotten	Ramsey
Graves	Weinert
Lanning	

Absent

Stone

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

(Senator Martin in the Chair.)

The Senate then concurred in the House amendments by the following vote:

Yeas—16

Brownlee	Morris
Bullock	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lovelady	Vick
Metcalf	Winfield
Moffett	York

Nays—10

Aikin	Cotten
Beck	Graves
Chadick	Lanning

Martin  
Mauritz

Moore  
Weinert

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

(President in the Chair.)

Senate Resolution 98

Senator Winfield, by unanimous consent, offered at this time the following resolution:

Whereas, The amicable relations between the United States and our Southern Neighbors of Latin America are most cordial; and

Whereas, The cordiality is most essential in these times of distress and turmoil on the earth due to the world-wide struggle between the forces of Democracy and the forces of Totalitarian tyranny; and

Whereas, Popular Government on the earth had its birth in the Americas under the leadership of Washington in the English colonies and Bolivar and Benito Juarez in Mexico; and

Whereas, In the infancy of these great American Republics the relation of cordiality and friendship between these new nations that are dedicated to Democracy was most cordial; and

Whereas, The Honorable Jack White of San Antonio, has been most active in furthering these cordial and friendly relations between the peoples of the United States and the Nations of Latin America; and

Whereas, He has at great expense to himself taken the lead in developing the Pan American Club in San Antonio, Texas, for the entertainment and enjoyment of the Officers of the Latin American Allies of the United States; now, therefore, be it

Resolved, That the Senate of Texas do most earnestly commend this outstanding citizen for his magnanimous contribution to the feeling of Good Will among the great American Democracies; and be it further

Resolved, That a copy of this resolution be spread upon the Senate Journal and that a copy be furnished to the Honorable Jack White.

The resolution was read; and on motion of Senator Winfield, and by

unanimous consent, it was considered immediately.

The resolution was adopted.

#### House Concurrent Resolution 138

On motion of Senator Chadick, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 138, Authorizing certain corrections in H. B. No. 135.

The President laid the resolution before the Senate, and it was read and was adopted.

#### Senate Resolution 99

Senator Metcalfe, by unanimous consent, offered at this time the following resolution:

Whereas, Dr. Romano Collazo, a distinguished citizen of Havana, Cuba, is at the bar of the Senate; and

Whereas, Dr. Collazo is now Third Vice President of Lions International and holds many responsible positions in our neighbor Republic of Cuba; now, therefore, be it

Resolved by the Senate of Texas, That Dr. Collazo be invited to address the Senate at this time and be granted the privileges of the floor during his stay in the city.

METCALFE,  
WINFIELD.

The resolution was read; and on motion of Senator Metcalfe, and by unanimous consent, it was considered immediately.

The resolution was adopted.

Accordingly, Senators Metcalfe and Winfield escorted the distinguished visitor to the President's desk.

Senator Winfield, at request of the President, presented to the Senate Dr. Ramano Collazo.

Dr. Collazo then addressed the Senate.

The President, on behalf of the Senate thanked Dr. Collazo for his message.

#### House Bill 199 on Second Reading

On motion of Senator Ramsey, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 199, A bill to be entitled "An Act making appropriation of certain sums of money, or so much thereof as may be necessary, out of the General Revenue Fund to pay taxes due by the State to a certain independent school district; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

#### House Bill 199 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 199 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

#### Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Bills and Resolutions Signed

The President signed, in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

H. B. No. 217, A bill to be entitled "An Act validating the incorporation of such cities and towns of more than 200 and less than 10,000 inhabitants heretofore incorporated or attempted to be incorporated under

the General Laws of Texas, Title 28, Revised Civil Statutes of Texas, 1925, and S. B. No. 144, passed by the Forty-seventh Legislature, Regular Session, 1941; etc.; and declaring an emergency."

H. B. No. 159, A bill to be entitled "An Act appropriating all unexpended and unappropriated balances on hand in the Old Age Assistance Fund to the State Department of Public Welfare for the purposes for which such Old Age Assistance Fund is authorized by law to be expended; providing how and when such unappropriated and unexpended balances may be expended; and declaring an emergency."

H. B. No. 726, A bill to be entitled "An Act to amend Subsection 5, of Article 199, Revised Civil Statutes of Texas of 1925, as amended by Chapter 143, Acts 1937, Forty-fifth Legislature, as amended by Chapter 3, Acts 1939, Forty-sixth Legislature, providing for the reorganization of said District; etc.; and declaring an emergency."

H. B. No. 730, A bill to be entitled "An Act granting permission to J. R. Williamson to bring suit against the State of Texas and/or Highway Department of Texas in a court of competent jurisdiction in Callahan County, Texas, for damages alleged to have been sustained by him as a result of the loss of crops and damages to 16 acres of land located in Callahan County, Texas, out of the North one-half of Block Number 93, a subdivision of Comal County School land, Survey Number 181 adjacent to and immediately North, Northeast and East of State Highway Number 36 in Callahan County, Texas, as a result of the failure of the State Highway Department to properly drain said land while constructing State Highway Number 36, known as the Abilene Cross Plains Highway and running from the City of Abilene in Taylor County, Texas, to the City of Cross Plains in Callahan County, Texas; etc.; and declaring an emergency."

H. B. No. 483, A bill to be entitled "An Act providing for a closed season on wild turkey in Archer County for a period of five (5) years; etc.; and declaring an emergency."

H. B. No. 20, A bill to be entitled "An Act regulating the practice of

chiropractic in Texas; creating an examining board of graduate chiropractors; providing for the appointment and maintenance thereof; providing for an executive secretary and assistants; fixing bond for the executive secretary; outlining qualifications of the chiropractors making up the board; prescribing duties of the board; fixing fees and regulating funds; providing for transfer of certain moneys left as a balance in any fiscal year to the General Fund; defining the science of chiropractic; providing for licensing; providing for license renewal and fee; providing for filing of certified copies of licenses with District Clerks; fixing standards for chiropractic colleges; fixing requirements for examinees and providing exemptions; providing for examination fees; providing for reciprocity and fees; providing for revocation of license after notice and hearing; provided for appeal; providing for action by the Attorney General on application of the board; fixing penalties; repealing all laws in conflict; providing a savings clause; and declaring an emergency."

H. C. R. No. 106, Granting Roy Wadsworth permission to sue the State.

H. C. R. No. 122, Granting permission to Mrs. Allie Kelley to sue the State of Texas or the State Highway Department.

H. C. R. No. 94, Granting permission to Yancy Barron of Ellis County to sue the State.

H. C. R. No. 93, Granting permission of the Justin Leather Goods Co. to sue the State.

H. C. R. No. 103, Authorizing C. H. C. Anderson to sue the State.

H. C. R. No. 52, to Committee on Public Lands and Land Office.

H. B. No. 247, A bill to be entitled "An Act to amend and re-enact Section 5 of the Motor Fuel Tax Law, the same being Article XVII of Chapter 184, Acts of the Regular Session of the Forty-seventh Legislature, (to facilitate and speed shipments of motor fuel during the war emergency) provided the Comptroller may authorize the sale or distribution of motor fuel and certain other products, without collecting the tax, to bonded and licensed distributors when said products are purchased for the purpose of exportation or for further refin-



ing, processing, treating, or blending, and requiring the persons selling said products to keep records, make reports, and issue manifests of such sales and requiring the purchasing distributor to pay the tax on any subsequent taxable sale or use of said products; etc.; and declaring an emergency."

#### House Bill 188 on Second Reading

On motion of Senator Stone, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 188, A bill to be entitled "An Act to amend Section 2 of Chapter 212 of the General and Special Laws of the Regular Session of the Fortieth Legislature of Texas, so as to permit the use of convict labor for harvesting of crops during the war, or the national emergency, in areas near the prison system, repealing all laws in conflict herewith; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

#### House Bill 188 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 188 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Ramsey
Chadick	Shivers
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Winfield
Lovelady	York
Mauritz	

Nays—4

Cotten	Martin
Lanning	Weinert

Absent

Morris

#### Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—13

Brownlee	Moffett
Bullock	Moore
Graves	Shivers
Hazlewood	Stone
Jones	Vick
Mauritz	York
Metcalf	

Nays—12

Aikin	Lovelady
Beck	Martin
Chadick	Ramsey
Cotten	Sulak
Lane	Weinert
Lanning	Winfield

Absent

Morris

#### Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### Conference Committee on House Bill 219

Senator Aikin called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 219, and moved that the request of the House be granted.

The motion prevailed.

#### Senate Bill 340 with House Amendments

Senator Aikin called S. B. No. 340 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

The Senate concurred in the House amendments by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 170 on Second Reading

On motion of Senator Winfield, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 170, A bill to be entitled "An Act providing for the re-recording of marks and brands; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

#### House Bill 170 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 170 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lanning
Beck	Lovelady
Brownlee	Martin
Bullock	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Graves	Moore
Hazlewood	Morris
Jones	Ramsey
Lane	Shivers

Stone  
Sulak  
Vick

Weinert  
Winfield  
York

Absent—Excused

Fain  
Formby  
Kelley

Lemens  
Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 89 with House Amendments

Senator Sulak moved to reconsider the vote by which the Senate concurred in House amendments to S. B. No. 89.

Senator Morris moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—11

Bullock	Moffett
Hazlewood	Morris
Jones	Shivers
Lane	Winfield
Lovelady	York
Metcalfe	

Nays—14

Aikin	Martin
Beck	Mauritz
Brownlee	Moore
Chadick	Ramsey
Cotten	Stone
Graves	Sulak
Lanning	Weinert

Absent

Vick

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The motion to reconsider then prevailed by the following vote:

Yeas—15

Aikin	Cotten
Beck	Graves
Brownlee	Lanning
Chadick	Martin

Mauritz	Sulak
Moore	Weinert
Ramsey	Winfield
Stone	

Nays—9

Bullock	Metcalf
Hazlewood	Moffett
Jones	Morris
Lane	Shivers
Lovelady	

Absent

Vick	York
------	------

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

Question—Shall the Senate concur in the House amendments to S. B. No. 89?

Yeas and nays were demanded, and the Senate refused to concur in the House amendments by the following vote:

Yeas—9

Bullock	Metcalf
Hazlewood	Moffett
Jones	Morris
Lane	Shivers
Lovelady	

Nays—15

Aikin	Mauritz
Beck	Moore
Brownlee	Ramsey
Chadick	Stone
Cotten	Sulak
Graves	Weinert
Lanning	Winfield
Martin	

Absent

Vick	York
------	------

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

Senator Mauritz moved that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed by the following vote:

Yeas—15

Aikin	Brownlee
Beck	Chadick

Cotten	Ramsey
Graves	Stone
Lanning	Sulak
Martin	Weinert
Mauritz	Winfield
Moore	

Nays—9

Bullock	Metcalf
Hazlewood	Moffett
Jones	Morris
Lane	Shivers
Lovelady	

Absent

Vick	York
------	------

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 141 on Second Reading

On motion of Senator Hazlewood, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 141, A bill to be entitled "An Act amending Article 5326 of the Revised Civil Statutes of Texas as amended by H. B. No. 56, Chapter 191, page 351, Acts of the Regular Session, Forty-seventh Legislature of the State of Texas, 1941, providing for the conditions of payment for State lands in the event of the death of any purchaser of school land; and declaring an emergency."

(President pro tempore in the Chair.)

The President pro tempore laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time.

On motion of Senator Hazlewood, the bill was tabled subject to call.

#### House Bill 685 on Second Reading

On motion of Senator Bullock, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 685, A bill to be entitled "An Act to amend Section 11 of H. B. No. 264 as enacted by the Forty-eighth Legislature in 1943; and declaring an emergency."

The President pro tempore laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time.

(President in the Chair.)

On motion of Senator Bullock, the bill was tabled subject to call.

#### Bills and Resolution Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled Senate bills and resolution:

Nos. 266, 325, 279, 204, 357, 225, 363, 156, 366, 360, 201, 46, 358, 362, 82, 75, 349, 328, 361, 315, 329, 297, 216, 159, 245, 352, 143, 146, 340.  
S. C. R. No. 51.

#### Recess

On motion of Senator Sulak, the Senate, at 12:25 o'clock p. m., took recess to 2:30 o'clock p. m. today.

#### Afternoon Session

The Senate met at 2:30 o'clock p. m., and was called to order by the President.

(President pro tempore Mauritz in the Chair.)

#### Bills and Resolutions Signed

The President pro tempore signed in the presence of the Senate, after their captions had been read, the following enrolled bills and resolutions:

House Bills Nos. 150, 390, 439, 641; H. C. R. No. 99 and H. C. R. No. 127.

#### Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,  
May 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 467, have had the same under consideration, and I am instructed to report back to the Senate with recommendation that it do pass and be not printed.

VICK, Chairman.

Austin, Texas,  
May 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 468, have had the same under consideration, and I am instructed to report back to the Senate with recommendation that it do pass and be not printed.

VICK, Chairman.

Austin, Texas,  
May 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 470, have had the same under consideration, and I am instructed to report back to the Senate with recommendation that it do pass and be not printed.

VICK, Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred H. B. No. 745, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

STONE, Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions have had under consideration H. B. No. 559, and recommend that it do pass and be printed.

YORK, Chairman.

Committee Room,  
Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on County and County Boundaries to whom was referred H. B. No. 111, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it

do pass and that it be mimeographed and not otherwise printed.

GRAVES, Chairman.

Austin, Texas,  
May 7, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred H. B. No. 724, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

LOVELADY, Chairman.

#### House Bill 349 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 349, A bill to be entitled "An Act amending Section 3 of Chapter 46, Acts of the Forty-fifth Legislature (Section 3 of Article 5142b, Revised Civil Statutes of Texas) by providing that in counties having population of not more than three hundred twenty thousand (320,000) inhabitants, and not less than two hundred twenty thousand (220,000) inhabitants, there shall be a chief juvenile officer, and such number of assistant juvenile officers not exceeding ten as may be authorized by the Juvenile Board, and providing for the filling of vacancies in such offices by appointment of said Board."

The bill was read second time and was passed to third reading.

#### House Bill 349 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 349 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Jones
Beck	Lane
Brownlee	Lanning
Bullock	Lovelady
Chadick	Martin
Cotten	Mauritz
Graves	Metcalf
Hazlewood	Moffett

Moore	Sulak
Morris	Vick
Ramsey	Weinert
Shivers	Winfield
Stone	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 495 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 495, A bill to be entitled "An Act amending Subsection 97, Article 199, Title 8, Revised Civil Statutes of Texas, 1925, changing the time and terms of holding the 97th Judicial District Court in Montague and Clay Counties constituting the 97th Judicial District of Texas; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 495 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 495 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 705 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 705, A bill to be entitled "An Act providing a closed season for fishing or attempting to take or catch fish in Uvalde County, providing a penalty for violation of this Act, repealing conflicting laws; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 705 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 705 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 716 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 716, A bill to be entitled "An Act authorizing the District At-

torney of the 79th Judicial District to appoint one Assistant District Attorney; prescribing the qualifications and duties of such assistant; fixing his salary; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 716 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 716 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 735 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 735, A bill to be entitled "An Act amending Article 322 of the Revised Civil Statutes of Texas, as amended by the Forty-third Legislature; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 735 on Third Reading

Senator Lane moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 735 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Metcalfe
Chadick	Moffett
Cotten	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Shivers
Lane	Stone
Lanning	Sulak

Vick	Winfield
Weinert	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 744 on Second Reading**

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 744, A bill to be entitled "An Act amending Section 4 of H. B. No. 961, Chapter 458, Acts of the Forty-seventh Legislature, Regular Session, 1941, authorizing the Commissioners' Court of Dallas County to allow the County Judge, County Auditor, and County Commissioners necessary traveling expenses when traveling on official county business in connection with the public roads and highways of Dallas County, providing for payment thereof out of the road and bridge fund of Dallas County upon order of the commissioners' court, and providing that traveling expenses for out-of-State trips by said officers shall be allowed only when such trips are authorized in advance by order of the commissioners' court stating the nature of the official county business to be transacted without the State and expressly declaring each such out-of-State trip to be necessary for the maintenance of the public roads and highways of Dallas County; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 744 on Third Reading**

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 744 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Jones
Beck	Lane
Brownlee	Lanning
Bullock	Lovelady
Chadick	Martin
Cotten	Mauritz
Graves	Metcalfe
Hazlewood	Moffett

Moore	Sulak
Morris	Vick
Ramsey	Weinert
Shivers	Winfield
Stone	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 751 on Second Reading**

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 751, A bill to be entitled "An Act authorizing any city or town, in any county of this State having a population of more than 350,000 inhabitants, regardless of how incorporated, to acquire by gift, purchase, condemnation or otherwise separately or jointly with any other city, town, cities, towns or other city, town, cities, towns and county, within which such municipality is situated, property within or outside of such city, town, cities and towns for public purposes; etc.; and declaring an emergency."

The bill was read second time.



Senator Graves offered the following amendments to the bill:

Amend Section 1 of H. B. No. 751 to be and read:

(1)

"Section 1. Any incorporated city or town in this State, incorporated under General or Special law or authorized to have or having a charter under the provisions of the Constitution of Texas or the statutes and being situated in a county, which has a population of more than three hundred and fifty thousand (350,000) inhabitants according to the Federal Census next preceding the exercise of the power hereby granted shall have and is hereby granted the power separately or jointly with any other city, town, cities or towns, in the same county, or jointly with any other city, town, cities or towns and the county, within which such city or town is situated, to receive and acquire through gift or dedication and to acquire by purchase without condemnation or by condemnation, any property in this State located inside or outside of the corporate limits of such city or town, for the following purposes which are declared to be public purposes: parks, hospitals, the extension, improvement and enlargement of its water system, including riparian rights, water supply reservoirs, standpipes, water sheds, dams, the laying, building, maintenance and construction of water mains and the laying, erection, establishment or maintenance of any necessary appurtenances or facilities which will furnish to the inhabitants of the city an abundant supply of wholesome water; for sewage plants and systems; rights of way for water and sewer lines; playgrounds, airports, and landing fields, incinerators, garbage disposal plants, streets, boulevards and alleys or other public ways, and any right-of-way needed in connection with any property used for any purpose hereinabove named, and to exercise police power within the territory so acquired.

"The procedure to be followed in condemnation proceeding hereunder and authorized herein shall be in accordance with the provisions of the State law with reference to eminent domain. The provisions of Title 52 of the Revised Civil Statutes of Texas (1925) shall apply to such pro-

ceedings, or such proceedings may be under any other State law now in existence or that hereafter may be passed governing and relating to the condemnation of land for public purposes by a city."

(2)

Amend H. B. No. 751 as passed by the House by striking and eliminating from Section 5 the words:

"Not to exceed for any one year ten cents on each One Hundred Dollars of assessed value of property within such political subdivision."

Following the words "tax" and preceding the words "for the purpose of improving."

(3)

Amend the caption of H. B. No. 751 as passed by the House to be and read as follows:

"An Act authorizing any city or town, in any county of this State having a population of more than 350,000 inhabitants, regardless of how incorporated, to acquire by gift, purchase condemnation or otherwise separately or jointly with any other city, town, cities, towns or other city, town, cities, towns and county, within which such municipality is situated, property within or outside of such city, town, cities and towns for public purposes as set out in this Act; to improve the same, issue warrants and bonds to pay the cost of such property and improvements; to sell, lease, regulate, manage, operate, control and charge for the use thereof; to exercise police power within the territory and property so acquired; to levy taxes to carry out the purposes of this Act; to make mutual agreements with reference to such joint ownership and operation; making this Act cumulative of all other laws; containing a saving clause; declaring an emergency and an imperative public necessity; suspending the constitutional rules with reference thereto and making this Act effective immediately upon its passage."

The amendments were adopted severally and the bill was passed to third reading.

#### House Bill 751 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be sus-

pended and that H. B. No. 751 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 755 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 755, A bill to be entitled "An Act providing for special fire fighting equipment in all counties having a population of three hundred and fifty thousand (350,000) or more

according to the last preceding Federal Census; etc.; and declaring an emergency."

The bill was read second time.

Senator Graves offered the following amendment to the bill:

Amend H. B. No. 755 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Be It Enacted by the Legislature of the State of Texas:

"Section 1. The term 'county' when used in this Act shall mean any county in Texas having a population of three hundred and fifty thousand (350,000) or more according to the last preceding Federal Census.

"Sec. 2. The commissioners court of the county is hereby authorized to and may furnish fire fighting equipment under the terms and provisions of this Act. 'It is the legislative intent and purpose that this Act be construed as permitting the commissioners' court within their discretion to carry out the provisions of this bill but the language in this bill shall not be construed as being mandatory in nature.'

"Sec. 3. The governing authorities of any incorporated town or village of the county, which has a volunteer fire department recognized by the Insurance Commission of the State of Texas, may, by an order or resolution, a majority voting in favor thereof, petition the commissioners court of the county to enter into a contract to furnish fire fighting equipment as provided in this Act. The commissioners court may enter into the contract and furnish the fire fighting equipment where the petitioners show the incorporated town or village is eligible to receive the service and benefit of such equipment by compliance with the terms of this Act.

"Sec. 4. When at least twenty-five (25) citizens, living in any unincorporated village, town or community, who have, or will organize within a reasonable time, a volunteer fire department recognized by the Insurance Commission of the State of Texas, and who are in all respects qualified to vote in a county bond election, petition the commissioners court for fire fighting equipment, it

may be the duty of the commissioners court to enter into a contract and furnish such fire fighting equipment, subject to and in accordance with the provisions of this Act.

"Sec. 5. The term 'fire fighting equipment' referred to herein shall mean a four-hundred-gallon booster tank mounted on a suitable truck chassis, equipped with a front-end pump and other necessary appliances and equipment. Total initial cost of each unit of fire fighting equipment shall in no instance exceed the sum of Two Thousand Seven Hundred and Fifty (\$2,750.00) Dollars.

"Sec. 6. The contract referred to herein shall provide and be conditioned that the county may furnish the fire fighting equipment for the use and benefit of the petitioners, subject to the agreement and understanding that the petitioners shall furnish a satisfactory place in which to keep and house the fire fighting equipment and pay at their own expense all of the costs of operation of said fire fighting equipment, and furnish the personnel to operate the same. The county shall be charged with the duty of keeping the fire fighting equipment in good working condition and shall be responsible for all replacements and repairs required. The commissioners court shall determine when repairs and replacements are necessary for such equipment. The commissioners court may provide for at least one emergency unit of fire fighting equipment to be used by the petitioners while the regular unit is being repaired or replaced by the commissioners court. The court shall require that all repairs, including labor and materials, shall be made, in so far as possible, in the shops of the commissioners, and the commissioners court shall have the power to designate any one or all of said shops for such purposes. The commissioners court may use trucks or other equipment, now on hand, if they are unable to acquire new trucks or other equipment for the purpose of building or equipping said fire fighting equipment.

"The petitioners shall be charged with the safe keeping of the fire fighting equipment. They shall be responsible to the county for any loss of such equipment from theft. They shall be responsible to the county for

any loss resulting to said fire fighting equipment assigned them by reason of any negligence of any officer, agent or employee of any incorporated town or village or of any one of the twenty-five (25) petitioners in an unincorporated village, town or community handling or operating such equipment.

"Sec. 7. Before any unit of fire fighting equipment is delivered to any petitioners, they shall give bond with good and sufficient surety, payable to the county, in an amount to be fixed by the commissioners court, not to exceed the initial cost of the unit of fire fighting equipment, conditioned that they will pay to the county the amount of the actual loss to each unit of equipment, or any part thereof, resulting from theft or negligence as hereinafter provided.

"Sec. 8. The term 'petitioners' as used herein shall mean any governing body of any incorporated town or village of the county. It shall also mean and include the number of petitioners not less than twenty-five (25) authorized herein to petition the commissioners court for fire fighting equipment, who reside in an unincorporated town, village or community.

"Sec. 9. Said fire fighting equipment shall remain in the county and the commissioners court shall at all times have the right to inspect and examine said equipment and shall have the right to re-possess the same upon a non-compliance by the petitioners with the terms of this Act.

"Sec. 10. The commissioners court may have, and it is hereby granted, the power and authority to contract with any city or cities within said county for the use of fire fighting equipment and the use and service thereof by the fire department of such city or cities for the purpose of fighting fires outside the city limits of such city or cities, upon such terms and conditions as may be mutually agreed upon by such commissioners court and the governing authorities of such city or cities, and said commissioners court and it is hereby authorized and empowered to pay out of the general fund of said county such compensation for such services as may be agreed upon as herein above provided.

"Sec. 11. The court shall pay all costs of administering this Act out of the general fund of the county.

"Sec. 12. All laws and parts of laws in conflict herewith are hereby expressly repealed to the extent of such conflict only.

"Sec. 13. The fact that several counties of the State do not now have an adequate and proper law authorizing the commissioners court to furnish fire fighting equipment to the various populated communities therein, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and this Act shall take effect and be in force from and after the date of its passage, and it is so enacted."

The amendment was adopted.

The bill was passed to third reading.

#### House Bill 755 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 755 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 166 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 166, A bill to be entitled "An Act amending Article 4732 of the Revised Civil Statutes of Texas, by adding thereto Section 12, requiring all family group insurance policies to show the name of each insured, the names of the beneficiary, and the amount which is payable to each payee in case of death, accident or illness, and providing that if there is a graduated scale of payment, the amount payable to each person insured shall be shown; repealing all laws and parts of laws in conflict herewith; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 166 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 166 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Hazlewood
Beck	Jones
Brownlee	Lane
Bullock	Lanning
Chadick	Lovelady
Cotten	Martin
Graves	Mauritz

Metcalfe	Stone
Moffett	Sulak
Moore	Vick
Morris	Weinert
Ramsey	Winfield
Shivers	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

## House Bill 223 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 223, A bill to be entitled "An Act amending Section 14, Chapter 116, H. B. No. 189, Acts of the Regular Session of the Forty-fourth Legislature, so as to provide for the issuance of a Texas license to non-resident hairdressers and cosmetologists under certain circumstances for a set fee; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

## House Bill 223 on Third Reading

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 223 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

(President in the Chair.)

## House Bill 324 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 324, A bill to be entitled "An Act to amend Article 6205, of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 69, Acts of the Regular Session of the Thirty-ninth Legislature, as amended by Chapter 153, Acts of the Regular

Session of the Forty-first Legislature as amended by Chapter 82, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 262, Acts of the Regular Session of the Forty-second Legislature as amended by H. B. No. 651, Acts of the Regular Session of the Forty-fifth Legislature so as to provide that widows of Confederate soldiers or sailors who have been bona fide residents of this State since January 1, 1928, and whose application shall hereafter be approved and who were married to such soldiers or sailors prior to January 1, 1921, and who lived with such soldier or sailor continuously for at least nine (9) years immediately prior to the death of such soldier or sailor; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 324 on Third Reading

Senator Lane moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 324 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 358 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 358, A bill to be entitled "An Act validating the annexation of territory and the extension of the boundaries of all cities and towns incorporated under the General Laws and having a population of 5,000 inhabitants or less, according to the last preceding Federal Census; etc.; and declaring an emergency."

The bill was read second time.

Seantor Moore offered the following amendment to the bill:

Amend H. B. No. 358, Section 6 by adding after the words:

"boundaries of are now" the words "or within a 100 days after this bill becomes a law."

And amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

#### House Bill 358 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 358 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**House Bill 443 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 443, A bill to be entitled "An Act authorizing and empowering the Board of Regents of the University of Texas to levy a compulsory student fee for the purpose of operating, maintaining, and improving the Texas Union Building at the University of Texas, fixing the amount of said fee, and authorizing the auditor of the University of Texas to collect the same, and providing the purposes for which said fee shall be used, and placing the control of the fees in the hands of the Board of Directors of the Texas Union Building, and providing for a budget for the operation of said building; and declaring an emergency."

The bill was read second time.

Senator Shivers offered the following amendment to the bill:

Amend H. B. No. 443 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. The Board of Regents of The University of Texas is hereby authorized to levy a compulsory student fee to be known as the Texas Union Fee which shall not exceed the sum of One Dollar (\$1.00) per student for each semester of the long session and not to exceed the sum of Fifty Cents (50c) per student for each term of the summer school. The Auditor of The University of Texas shall collect said fees and shall credit the money received therefrom to an account known as the Student Union Fee Account which shall be under the control and subject to the order of the Board of Directors of the Texas Union to be used for the sole purpose of operating, maintaining and improving the Texas Union Building and its program. The Board of Directors of the Texas Union shall annually submit a complete and itemized budget to the Board of Regents of The University of Texas together with a full and complete report of all activities conducted during the past year and all expenditures made incident thereto. The Board of Regents shall make such changes in the budget as it deems necessary before approving the same and shall then levy the Texas Union Fee in such

amount as will be sufficient to meet the budgetary needs of the Texas Union within the statutory limits herein fixed.

"Sec. 2. The fact that the Texas Union Building at The University of Texas was created and established, partly by the gifts of ex-students and friends of the University, for the purpose of providing essential facilities for the more complete and well-rounded education of the students of the University; and the fact that the Texas Union must have adequate and continuous financial support if it is to fulfill its purpose; and the further fact that the compulsory student fee herein authorized to be levied and collected from students at The University of Texas has received the approval of a vast majority of the students of that institution as shown by the results of a poll called by the President of the Student' Association in March, 1943, at which poll the vote of approval was approximately nine to one, and the importance of this legislation creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each House be and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Amend the caption to conform.

(Senator Winfield in the Chair.)

The amendment was adopted.

**Record of Votes**

Senators Mauritz and Sulak asked to be recorded as voting "nay" on the amendment.

The bill was passed to third reading.

**Record of Votes**

Senators Mauritz and Sulak asked to be recorded as voting "nay" on the passage of the bill to third reading.

**House Bill 443 on Third Reading**

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 443 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin  
Beck

Brownlee  
Bullock

Chadick	Moore
Cotten	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lovelady	Weinert
Martin	Winfield
Metcalfe	York
Moffett	

Nays—1

Mauritz

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Brownlee	Metcalfe
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Vick
Lane	Weinert
Lanning	Winfield
Lovelady	York
Martin	

Nays—5

Aikin	Moffett
Beck	Sulak
Mauritz	

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 470 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 470, A bill to be entitled "An Act amending the provisions of Article 4686 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1933, Forty-third Legislature p. 420, Chapter 164; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 470 on Third Reading**

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 470 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Nays—1

Cotten

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	



**House Bill 467 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 467, A bill to be entitled "An Act amending Article 5017 of the Revised Civil Statutes of Texas, 1925, as continued or amended by Acts 1929, Forty-first Legislature, First Called Session, p. 32, Ch. 11, Sec. 1, providing severability; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 467 on Third Reading**

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 467 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lane
Beck	Lanning
Brownlee	Lovelady
Bullock	Martin
Chadick	Mauritz
Cotten	Metcalf
Graves	Moffett
Hazlewood	Moore
Jones	Morris

Ramsey  
Shivers  
Stone  
Sulak

Vick  
Weinert  
Winfield  
York

Absent—Excused

Fain  
Formby  
Kelley

Lemens  
Spears

**House Bill 468 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to enfrossment:

H. B. No. 468, A bill to be entitled "An Act amending Article 5017d of the Revised Civil Statutes of Texas, as added by Acts 1929, Forty-first Legislature, First Called Session, p. 32, Ch. 11, Sec. 1; etc.; and declaring an emergency."

The bill was read second time.

Senator Martin offered the following amendment to the bill:

Amend H. B. 468 by striking out all below the enacting clause and substitution in lieu thereof the following:

"Section 1. That Article 5017d of the Revised Civil Statutes of Texas, 1925, as added to Chapter 19 of Title 78 of such Statutes by the Acts of 1929, Forty-first Legislature, First Called Session, p. 32, Chapter 11, Section 1, be and the same is hereby amended so that hereafter such amended Article 5017d shall read as follows:

'5017d. Investments. The assets of underwriters at a Lloyds to the extent of the minimum required under the provisions of Article 5017, as amended, of this Chapter shall be cash or shall be invested in such securities as are eligible for investment of the capital stock of stock insurance companies transacting the same sort of business, and the other assets of underwriters shall be invested, if at all, in such property or securities as the funds of a stock insurance company doing the same sort of business may be invested in, except real estate, and except that only the surplus of a Lloyds may be invested in the securities eligible for investment of surplus of such similar stock insurance company.

'Provided, however, that no Lloyds already organized and doing business under license from the Board of Insurance Commissioners of this State

shall be required to conform to this Article as hereby amended except as to securities hereafter acquired, whether in substitution for securities now held or from additional, successor, or substituted underwriters."

"Section 2. If any section or portion of section of this Act shall for any reason be declared invalid by a court of competent jurisdiction such adjudication shall not affect the validity of any other section or portion of this Act.

"Sec. 3. The importance of this legislation and the immediate and urgent need of the reforms to be effected hereby create an emergency and an imperative public necessity demanding the suspension of the Constitutional rule requiring bills to be read on three several days in each House, and the Constitutional rule requiring bills to take effect or go into force ninety days after the adjournment of the session be, and the same are, hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(President in the Chair.)

The amendment was adopted.

The bill then was passed to third reading.

#### House Bill 468 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 468 be placed on it sthird reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

#### Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vite:

#### Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

#### Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### Conference Committee on House Bill 219

Senator Aikin called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 219 and moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Aikin, Lovelady, Metcalf, Shivers, and Weinert.

#### Message from the Governor

The following message was read to the Senate and referred to the Committee on Nominations of the Governor:

Austin, Texas, May 7, 1943.

To the Senate of the Forty-eighth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Members of the Board of Directors, San Antonio River Canal and Conservancy District for six-year terms expiring May 5, 1949:

W. B. Tuttle, San Antonio, Bexar County.

E. H. Kifer, San Antonio, Bexar County.

John Weber, Goliad, Goliad County.  
To be Members of the Washington State Park Commission for two-year terms expiring February 29, 1944:

Ewing Norwood, Navasota, Grimes County.

Mrs. Stella Brosig, Navasota, Grimes County.

Mrs. E. P. Anderson, Brenham, Washington County.

Mrs. A. W. Green, Brenham, Washington County.

Herman Zschappel, Brenham, Washington County.

Respectfully submitted,

COKE R. STEVENSON,  
Governor of Texas.

#### House Bill 482 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 482, A bill to be entitled "An Act amending Article 4201, Chapter 8, Title 69, Revised Civil Statutes of Texas, 1925, as amended by Section 1, of S. B. No. 336, Chapter 84, Acts of the Forty-fourth Legislature, 1935, relative to the sale of real estate by guardians and prescribing the terms of sale and requisites of orders directing the sale of real estate and requiring bond; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 482 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

#### Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

#### Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 328 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 328, A bill to be entitled "An Act amending Article 2700.1 of the Revised Civil Statutes of Texas of 1925, amended by Acts of 1941, Forty-seventh Legislature, H. B. No. 364, so as to henceforth provide that counties having a population of more than 125,000 according to the last Federal census may employ a competent assistant to the County Superintendent at an annual salary not (\$2800.00) Dollars, and may also employ such other assistants as necessary provided the aggregate amount of the salaries of such other assistants shall not exceed Eighteen Hundred (\$1800.00) Dollars annually; etc.; and declaring an emergency.

The bill was read second time and was passed to third reading.

#### House Bill 328 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be sus-

pending and that H. B. No. 328 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### House Bill 489 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 489, A bill to be entitled "An Act amending Section 12, Chapter 271, General Laws of the Forty-second Legislature, Regular Session, providing for a filing fee of Five

Dollars to accompany each mineral prospect permit application; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 489 on Third Reading

Senator Bullock moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 489 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**Appointment of Conference Committee on Senate Bill 89**

The President announced the appointment of the following conferees on the part of the Senate on S. B. No. 89:

Senators Morris, Lanning, Weinert, Mauritz, and Shivers.

**House Bill 503 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 503, A bill to be entitled "An Act to reorganize the 7th Judicial District of the State of Texas and the Special District Court of Smith County, Texas, and to make the latter court a permanent Court to include Smith County, Texas, under the title of the 128th Judicial District of Texas; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 503 on Third Reading**

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 503 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 605 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 605, A bill to be entitled "An Act amending Article 7506 of the Revised Civil Statutes of Texas, 1925, so as to clearly provide the circumstances under which applications for water rights shall be denied by the Board of Water Engineers, and so as to adjust the conflict between Articles 7506 and 7507 of the Revised Civil Statutes, and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 605 on Third Reading**

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 605 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Beck	Lanning
Brownlee	Lovelady
Bullock	Martin
Chadick	Mauritz
Cotten	Metcalfe
Graves	Moffett
Hazlewood	Moore
Jones	Morris

Ramsey	Vick
Shivers	Weinert
Stone	Winfield
Sulak	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 649 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 649, A bill to be entitled "An Act authorizing the Texas Highway Commission to exchange; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 649 on Third Reading**

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 649 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Bullock
Beck	Chadick
Brownlee	Cotten

Graves	Moore
Hazlewood	Morris
Jones	Ramsey
Lane	Shivers
Lanning	Stone
Lovelady	Sulak
Martin	Vick
Mauritz	Weinert
Metcalf	Winfield
Moffett	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Record of Vote**

Senator Lovelady asked to be recorded as voting "nay" on the passage of the bill.

**House Bill 651 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

H. B. No. 651, A bill to be entitled "An Act providing for counties and cities to jointly operate and maintain hospitals, providing for a board of managers for the operation of such hospitals, and further providing for the delegation by cities and counties to such board control of such hospitals, providing for a direct tax levy; and declaring an emergency."

The bill was read second time.

Senator Stone offered the following amendment to the bill:

Amend H. B. No. 651 by inserting in the first line of the last sentence of Section I of the engrossed copy after the word "counties" and before the word "may" the following:

"that have heretofore issued and sold bonds for specific purpose of jointly establishing, erecting, equipping, maintaining and operating such joint county-city hospital."

The amendment was adopted.

The bill was passed to third reading.

(President pro tempore in the Chair.)

**House Bill 651 on Third Reading**

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 651 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 685 on Passage to Third Reading**

The Presiding Officer laid before the Senate on its passage to engrossment (the bill having been read sec-

ond time and tabled subject to call on today):

H. B. No. 685, relating to fees of employment agencies.

(President in the Chair.)

On motion of Senator Bullock, and by unanimous consent, further consideration of the bill was postponed until Monday, May 10, 1943, and it was set as a special order for that day immediately after the conclusion of the morning call.

**House Bill 707 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 707, A bill to be entitled "An Act to amend Article 2250, Revised Civil Statutes of Texas, 1925 by including therein the right of appeal from interlocutory orders of county courts appointing receivers or trustees and interlocutory orders of county courts overruling motions to vacate orders appointing receivers or trustees; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 707 on Third Reading**

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 707 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

## House Bill 717 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 717, A bill to be entitled "An Act to provide for the waiver of pay by any State or District officer in any branch of the government while on active military duty, and for the waiver by him of the emoluments of his office in favor of the person filling his office during such military service; and declaring an emergency."

The bill was read second time and was passed to third reading.

## House Bill 717 on Third Reading

Senator Bullock moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 717 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Metcalf
Chadick	Moffett
Cotten	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Shivers
Lane	Stone
Lanning	Sulak

Vick  
Weinert

Winfield  
York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

## House Bill 718 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 718, A bill to be entitled "An Act to amend Article 4912, Revised Civil Statutes of Texas, 1925, so as to provide for any aggrieved party to have the right to apply to any court of competent jurisdiction to obtain redress; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

## House Bill 718 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 718 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Brownlee
Beck	Bullock



Chadick	Moffett
Cotten	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Shivers
Lane	Stone
Lanning	Sulak
Lovelady	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

## House Bill 719 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 719, A bill to be entitled "An Act amending Article 5133, Revised Civil Statutes of Texas, 1925, to provide a change in the appointment of the Superintendent of the Girls' Training School; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 719 by striking out the words "and who shall have power to appoint or discharge all sub-

ordinate officials and teachers for the school."

The amendment was adopted.

The bill was passed to third reading.

## House Bill 719 on Third Reading

Senator Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 719 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

## Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 728 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 728, A bill to be entitled "An Act providing that any incorporated city, town or village in this State incorporated under the General Laws may vote upon the question of adopting a city-manager plan of government as further provided; etc.; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend House Bill No. 728, Section 1 by inserting after the words "General Laws" the words

"having a population of less than 5,000 inhabitants according to the last preceding or any future Federal Census"

and by amending Section 2 by making a coma out of a period at the end thereof and adding the words

"having a population of less than 5,000 inhabitants according to the last preceding or any future Federal Census"

and by adding a new section to be known as Section 10 and reading as follows:

"Section 10. The crowded condition of the calendar and the importance of this legislation creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

and amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

**House Bill 728 on Third Reading**

Senator Morris moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 728 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Brownlee
Beck	Bullock

Chadick	Moffett
Cotten	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Shivers
Lane	Stone
Lanning	Sulak
Lovelady	Vick
Martin	Weinert
Mauritz	Winfield
Metcalfe	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 554 on Second Reading**

On motion of Senator Lanning, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 554, A bill to be entitled "An Act repealing H. B. No. 528, same being Chapter 450, passed by the Forty-seventh Legislature, 1941, at its Regular Session, providing for compensation for County Auditor and Purchasing Agent in certain counties; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

**House Bill 554 on Third Reading**

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 554 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**House Bill 44 on Second Reading**

On motion of Senator Beck, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 44, A bill to be entitled "An Act amending Article 227 of Title Six of the Penal Code of the State of Texas, 1925; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading:

The bill was read second time and was passed to third reading.

**House Bill 44 on Third Reading**

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 44 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 560 on Second Reading**

On motion of Senator Brownlee, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 560, A bill to be entitled "An Act amending Section 6 of Chapter 427, Acts of the First Called Session of the Forty-fourth Legislature, as amended by Section 2 of Chapter 20, Acts of the Second Called Session

of the Forty-fifth Legislature, and Section 7 of Chapter 427, Acts of the First Called Session of the Forty-fourth Legislature, as amended by Section 3 of Chapter 20, Acts of the Second Called Session of the Forty-fifth Legislature; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

#### House Bill 560 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 560 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Shivers
Lane	Stone
Lanning	Sulak
Lovelady	Vick

Weinert	York
Winfield	

Nays—1

Cotten

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

#### Senate Concurrent Resolution 55

On motion of Senator Brownlee, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time (the resolution having been offered and read first time on yesterday):

S. C. R. No. 55, Providing for the appointment of a special joint legislative committee, etc.

Senator Brownlee offered the following amendment to the resolution:

Amend S. C. R. No. 55 by striking out the fourth paragraph on page 1.

(Senator Moffett in the Chair.)

The amendment was adopted.

The resolution as amended was adopted.

#### Record of Vote

Senator Aikin asked to be recorded as voting "nay" on the resolution.

#### House Bill 585 on Second Reading

On motion of Senator Morris, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 585, A bill to be entitled "An Act for the purpose of reconciling and making uniform the provisions of 'Title 94, Militia' of the Revised Civil Statutes of Texas, 1925, as amended, with Texas Defense Guard Act 1941 (Chapter 9, General and Special Laws of the State of Texas, passed by the Regular Session of the Forty-seventh Legislature) by repealing Article 5839 of the said Statutes and Section 3 and 9 of the said Defense Guard Act and amending Articles 5765 and 5838 of the said Statutes and Sections 1, 2, 10, 11 and 12 of said Defense Guard Act so as to stipulate that the Defense Guard, as well as the National Guard, is a component of the Military Forces and

of the Active Militia of Texas; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

#### House Bill 585 on Third Reading

Senator Morris moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 585 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

(Senator Mauritz in the Chair.)

#### Motion to Take up House Bill 380

Senator Cotten moved that the regular order of business be suspended to take up for consideration at this time:

H. B. No. 380, A bill to be entitled "An Act to amend the subject-matter embraced in Section 7, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, as amended by Section 3, Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Section 4, Chapter 2, General Laws, Forty-sixth Legislature, Regular Session, as amended by Section 1, Chapter 2, S. B. No. 29, General and Special Laws, Forty-seventh Legislature, as amended by Section 1, Chapter 83, S. B. No. 326, General and Special Laws, Forty-seventh Legislature, by adding a new Subsection so as to provide that the term or phrase 'an employing unit succeeding to the experience of another employing unit,' used in paragraph 9, Subsection c, of said Section 7, shall be held to mean any individual or type of organization purchasing or acquiring a majority interest in and to the stock, or other properties, and/or right, title, interest or control of the former business, service or enterprise; etc.; and declaring an emergency."

The motion was lost by the following vote:

Yeas—6

Bullock	Hazlewood
Cotten	Jones
Graves	Lane

Nays—16

Aikin	Moore
Brownlee	Ramsey
Lanning	Shivers
Lovelady	Stone
Martin	Vick
Mauritz	Weinert
Metcalfe	Winfield
Moffett	York

Absent

Beck	Morris
Chadick	Sulak

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 657 on Second Reading**

Senator Hazlewood moved to call from the table and have placed on its second reading and passage to third reading:

H. B. No. 657, A bill to be entitled "An Act to describe, define, and officially name a system of Co-ordinates for designating the positions of points on the surface of the earth within the State of Texas, to be known as the 'Texas Co-ordinate System,' etc.; and declaring an emergency."

The motion prevailed by the following vote:

**Yeas—21**

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Ramsey
Graves	Shivers
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Mauritz	

**Nays—2**

Cotten	Lovelady
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**Absent**

Chadick	Stone
Morris	

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

The President laid the bill before the Senate on its second reading and passage to third reading.

Senator Hazlewood offered the following amendment to the bill:

Amend H. B. No. 657 by striking out all of Section 8 and inserting a new Section 8 to read as follows:

"The sole and only purpose of this Act is to recognize the above system for use in the State of Texas as definitely ascertaining positions on the surface of the earth. Nothing in this Act shall in any manner whatsoever require the use of such system. The provisions of this Section shall control over all other portions of this Act, anything in such other portions to the contrary notwithstanding."

(Senator Vick in the Chair.)

Senator Martin offered the following amendment to the amendment:

Amend H. B. 657 by adding at the end of Sec. 8 the following:

"and nothing in this Act shall be construed to set aside or disturb any corner or survey now already established."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 657 by striking out all of Section 6 and amend caption to conform.

The amendment was adopted.

Senator Hazlewood offered the following amendments to the bill:

**(1)**

Amend H. B. No. 657 by striking out the letters capital "X" and capital "Y" wherever they appear as individual letters in said bill and inserting in lieu thereof lower case letters "x" and "y".

**(2)**

Amend H. B. No. 657 by making such changes in the caption of the bill as will make the caption conform to the body of the bill.

The amendments were adopted severally.

The bill was passed to third reading by the following vote:

**Yeas—20**

Aikin	Moore
Brownlee	Morris
Bullock	Ramsey
Graves	Shivers
Hazlewood	Stone
Lane	Sulak
Lanning	Vick
Mauritz	Weinert
Metcalf	Winfield
Moffett	York

**Nays—3**

Beck	Lovelady
Cotten	

**Absent**

Chadick	Martin
Jones	

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 657 on Third Reading**

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 657 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Mauritz	York

Nays—1

Cotten

Absent

Martin

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Aikin	Moore
Brownlee	Morris
Bullock	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Mauritz	Winfield
Metcalf	York
Moffett	

Nays—3

Beck	Lovelady
Cotten	

Absent

Chadick	Martin
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**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

(President pro tempore Mauritz in the Chair.)

**Presentation of War Savings Bond to Lieutenant Governor**

The President pro tempore recognized Senator Metcalf, who presented to Lieutenant Governor John Lee Smith, on behalf of the Members of the Senate, as a token of their esteem, a United States War Savings Bond.

The Lieutenant Governor then addressed the Senate briefly and thanked the Members for the gift.

(President in the Chair.)

**Senate Bill 367 on Second Reading**

On motion of Senator Lanning, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 367, A bill to be entitled "An Act making an appropriation out of the General Revenue Fund of the State of Texas for the Secretary of State, for the purpose of compiling, editing, indexing, binding and distributing the current laws; making the same immediately available; providing for work to be done by the Secretary of State or by contract with any person, firm, or company engaged in the publishing business; prescribing the manner of indexing, compiling and publishing such laws; suspending all laws in conflict; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

**Senate Bill 367 on Third Reading**

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 367 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Brownlee
Beck	Bullock

Chadick	Moffett
Cotten	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Shivers
Lane	Stone
Lemens	Sulak
Lovelady	Vick
Martin	Weinert
Mauritz	Winfield
Metcalfe	York

**Absent—Excused**

Fain	Lanning
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—26**

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 422 on Second Reading**

On motion of Senator Lanning, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 422, A bill to be entitled "An Act making appropriations to pay deficiency appropriations granted by the Governor prior to January 1, 1943, and for which no appropriations have heretofore been made; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

**House Bill 422 on Third Reading**

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 422 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—26**

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—25**

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

**Nays—1**

Cotten

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	



**Motion to Take up House Bill 712**

Senator Moffett moved that the regular order of business be suspended to take up for consideration at this time:

H. B. No. 712, A bill to be entitled "An Act making a legislative find that the recent tornado in Foard County was a great public calamity and donating and granting to the City of Crowell and the County of Foard certain State ad valorem taxes for a period of five (5) yearss; providing that one-half of said taxes shall be granted to the City of Crowell and one-half shall be granted to the County of Foard; providing for their use; and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

**Yeas—14**

Brownlee	Metcalf
Graves	Moffett
Hazlewood	Moore
Jones	Ramsey
Lane	Shivers
Lanning	Stone
Mauritz	Sulak

**Nays—11**

Aikin	Morris
Beck	Vick
Bullock	Weinert
Cotten	Winfield
Lovelady	York
Martin	

**Absent**

Chadick

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

**House Bill 745 on Second Reading**

On motion of Senator Mauritz, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 745, A bill to be entitled "An Act for the purpose of better conserving the marine resources of this State by providing certain regulations and restrictions in regard to the tidal waters of Aransas County for the duration of the war; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

**House Bill 745 on Third Reading**

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 745 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—26**

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—26**

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

**Message from the Governor**

The following message was read to the Senate and referred to the Committee on Nominations of the Governor.

Austin, Texas,  
May 7, 1943.

To the Senate of the Forty-eighth Legislature:

Acting under authority of Title 128, Article 8197f, Chapter 8, of the General Laws of the State of Texas, the Board of Water Engineers submitted to me the nomination herein-after designated, and I am passing such recommendation on to you for your advice, consent and confirmation with respect to the following appointment:

To be Director of the Brazos River Conservation and Reclamation District, to fill the unexpired term of Mr. R. E. Baskin, deceased, said term expiring February 1, 1945:

Bruce B. Campbell of Knox City, Knox County.

Respectfully submitted,  
COKE R. STEVENSON,  
Governor of Texas.

**House Bill 750 on Second Reading**

Senator Metcalfe moved that the regular order of business be suspended to take up for consideration at this time:

H. B. No. 750, A bill to be entitled "An Act providing for the apportionment of the payment of expenses and salaries of the official court reporters in all judicial districts having more than one county; etc.; and declaring an emergency."

The motion prevailed by the following vote:

Yeas—21

Aikin	Metcalfe
Brownlee	Moffett
Bullock	Moore
Cotten	Shivers
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Nays—2

Beck	Ramsey
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**Absent**

Chadick	Morris
Lanning	

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

**House Bill 750 on Third Reading**

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 750 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

**Absent—Excused**

Fain	Lemens
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Metcalfe
Chadick	Moffett
Cotten	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Shivers
Lane	Stone
Lanning	Sulak

Vick  
Weinert

Winfield  
York

Absent—Excused

Fain  
Formby  
Kelley

Lemens  
Spears

#### Motion to Take up House Bill 96

Senator Winfield moved that the regular order of business be suspended to take up for consideration at this time:

H. B. No. 96, A bill to be entitled "An Act creating Article 2846A, as a part of Chapter 16, Title 49, Revised Civil Statutes of the State of Texas, placing additional duties upon the State Board of Education and the Textbook Committee with reference to preferential treatment of textbooks and teachers' manuals wholly or partly manufactured in Texas; providing for submission in manuscript form of such textbooks and manuals not in print; providing that textbooks and teachers' manuals shall be printed and bound and/or rebound, except discretion is allowed as to certain books, in Texas; repealing all laws and parts of laws in conflict with this Act; providing that any partial invalidity of this Act shall not affect the remainder hereof; and declaring an emergency, and making this Act effective from and after its passage."

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—14

Beck  
Graves  
Hazlewood  
Jones  
Lane  
Lovelady  
Martin

Mauritz  
Metcalf  
Moore  
Ramsey  
Shivers  
Stone  
Winfield

Nays—11

Aikin  
Brownlee  
Bullock  
Cotten  
Lanning  
Moffett

Morris  
Sulak  
Vick  
Weinert  
York

Absent

Chadick

Absent—Excused

Fain  
Formby  
Kelley

Lemens  
Spears

#### Senate Concurrent Resolution 56

Senator Aikin, by unanimous consent, offered the following resolution at this time:

S. C. R. No. 56, Recalling S. B. No. 335 for correction.

Whereas, S. B. No. 335, A bill to correct the Notary Public Statute, has finally passed both Houses of the Texas Legislature and has been sent to the Governor; and

Whereas, It is necessary that certain corrections be made in said bill in order for it to have the effect intended by the Legislature; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That the Governor be, and he is hereby, requested to return S. B. No. 335 to the Senate for further consideration and correction; and that the Speaker and Chief Clerk of the House, the Lieutenant Governor and Secretary of the Senate be requested and authorized to erase their names from said bill.

The resolution was read; and on motion of Senator Aikin and by unanimous consent, it was considered immediately.

The resolution was adopted.

#### Senate Concurrent Resolution 57

Senator Aikin, by unanimous consent, offered at this time the following resolution:

S. C. R. No. 57, Authorizing correction of S. B. No. 335.

Be It Resolved by the Senate of Texas, the House of Representatives concurring, That the Enrolling Clerk of the Senate be, and she is hereby, authorized and directed to correct S. B. No. 335 in the following manner:

Insert in parenthesis after the word "notice" in line 16 of Section 3 of said bill, the following: "(but not before the first day of June of odd numbered years in the case of appointments for the term beginning on such date or re-appointments herein-after provided for)"

And, further to correct said bill by striking out the words "or before" in line 5 of Section 6 of said bill.

The resolution was read; and on motion of Senator Aikin and by unanimous consent, it was considered immediately.

The resolution was adopted.

#### House Concurrent Resolution 137

On motion of Senator Hazlewood, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 137, Authorizing certain corrections in H. B. No. 655.

The President laid the resolution before the Senate, and it was read and adopted.

#### Adjournment

Senator Lanning moved that the Senate adjourn until 10 o'clock a. m. Monday, May 10, 1943.

Senator Brownlee moved that the Senate adjourn until 1:00 o'clock p. m. tomorrow.

Question first recurring on the motion of Senator Lanning, yeas and nays were demanded.

The motion prevailed by the following vote:

#### Yeas—13

Beck	Martin
Bullock	Mauritz
Cotten	Moore
Graves	Morris
Hazlewood	Ramsey
Lane	Weinert
Lanning	

#### Nays—11

Aikin	Stone
Jones	Sulak
Lovelady	Vick
Metcalfe	Winfield
Moffett	York
Shivers	

#### Absent

Brownlee	Chadick
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#### Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

The Senate, accordingly, at 5:30 o'clock p. m., adjourned until 10 o'clock a. m. Monday, May 10, 1943.

#### SIXTY-SIXTH DAY

(Monday, May 10, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 7, 1943 was dispensed with and the Journal was approved.

#### Senate Concurrent Resolution 58

Senator Moffett offered the following resolution:

S. C. R. No. 58, Relating to certificates for Texans who have died in the service of their country.

Whereas, Texans are serving throughout the world in the military and naval forces of the United States, and are keeping bright the proud military tradition of the State; and

Whereas, Some of these Texans have already made the supreme sacrifice, and many others will likewise give their lives ere this World War is concluded, that others may live in freedom; and

Whereas, The people of Texas owe to the next of kin of these immortal dead some form of recognition and appreciation of their heroism; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Governor of this State be directed to send to the family or next of kin, of each person whose life is lost while in the service of his country in this War, a suitable certificate or card expressing the